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February 24, 2022

Via overnight delivery and facsimile to: (225) 381-7271

Louisiana Ethics Administration Program

P.O. Box 4368

Baton Rouge, LA 70821

Re: Request for Advisory Opinion

Dear Advisory Board:

I serve as the City Attorney for the City of Bossier City. We are in the process of selecting a new Chief of Police after the recent retirement of the former Chief of Police. While we have many applicants for the position, none of them have served in police administration in Bossier City nor have any served as a Deputy Chief. In order to ensure a smooth transition I have proposed a consulting contract with a retired member of the Bossier City Police Department who has extensive experience in police administration, staffing, and organization. Terrell Dale Teutsch was employed by the Bossier City Police Department for more than 37 years before his retirement in 2009. While Teutsch served as Deputy Chief he was never the agency head of the Bossier City Police Department or any other department. He has been retired for more than two years having retired 13 years ago in 2009.

Chief Teutsch would provide contract consulting services to the City Attorney through CN Consulting, LLC, a Louisiana limited liability company. Chief Teutsch does not own the LLC nor is he a member or a manager of the entity. The LLC is owned by his wife, Cynthia Nerren. The contract would be for one year at an amount of \$60,000.00 to be paid in monthly installment as invoiced by CN Consulting, LLC. The consulting services provided would be limited to staffing and organization of the Bossier City Police Department and myself, as City Attorney and Department Head of the Legal Department would be only agency head with any supervisory authority over Teutsch. The City of Bossier City is governed by home rule charter and I enclose for your review a copy of the charter.

Pursuant to the Bossier City charter, the Legal Department is not under the authority of any other department nor is it under the authority and control of the office of the Mayor.

Chapter 4.06 (l) of the Bossier City Charter provides:

(l) The Mayor may delegate authority for operation and management of all, or some, City departments and all resources therein, with the exception of the City Attorney. *emphasis added*

The City Attorney acts independently of the Mayor and the consulting contract would be executed by myself in my capacity as City Attorney pursuant to Chapter 8.01 of the Bossier City Charter which empowers the City Attorney to “*acquire and monitor any outside legal assistance the City may require.*” Chief Teutsch will not be an employee of the city. He will provide contract consulting services to the Legal Department through CN Consulting, LLC on issues related to staffing and organization of the Police Department civil service law and procedure.

No city department other than myself as agency head of the Legal Department will have any supervisory authority over Teutsch. I recently completed the program Ethics Training for Public Servants and I am aware that there are certain prohibitions against employment of immediate family members. Louisiana law, specifically La. R.S. 42:1119 (A), precludes the employment of the immediate family members of the agency head of a department. Under the proposed contract, the agency in which Teutsch would provide services through CN Consulting, LLC would be the Legal Department. I am the agency head of the Legal Department and Teutsch is not a member of my immediate family.

Teutsch is, however, the father of Bossier City’s Chief Administrative Officer, Amanda Nottingham, who began her employment with Bossier City in September 2021. Amanda Nottingham is not the Chief Executive of the City of Bossier City as that is our Mayor, Thomas H. Chandler.

Pursuant to the Bossier City Charter, the Chief Administrative Officer serves in the Department of Public Affairs as follows:

Section 7.03. Chief Administrative Officer.

The Mayor shall nominate for confirmation by the City Council a Chief Administrative Officer. This shall be an unclassified employee position. The Chief Administrative Officer will serve as executive and administrative assistant to the Mayor, performing such duties as assigned by the Mayor.

Out of an abundance of caution, I am seeking this advisory opinion to determine if the consulting contract between CN Consulting, LLC and the Legal Department of the City of Bossier City would result in a violation of the provisions of Louisiana Code of Governmental Ethics due to the fact that Terrell Dale Teutsch will be providing contract consulting services through the Legal Department and he is the father of the Chief Administrative Officer, a person employed in another agency of the city, namely the Department of Public Affairs. The Charter outlines that the Mayor is the agency head of the Department of Public Affairs:

Chapter 7. Department of Public Affairs

Section 7.01. Organization

There shall be a Department of Public Affairs, which shall consist of the Mayor, the Chief Administrative Officer and Project Coordinator. This department may also have, if within its budget, a Public Information Section and other such functions or activities as the Mayor deems necessary.

Section 7.02. Mayor.

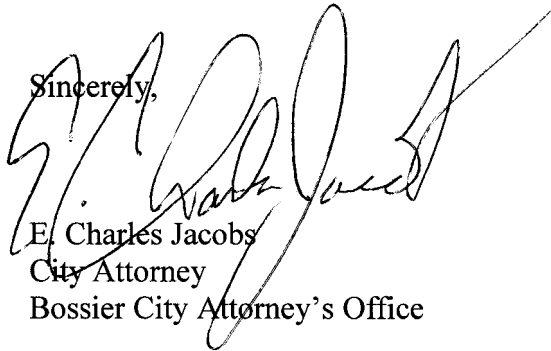
The Mayor shall be the head of the Department of Public Affairs.

In summary, I am proposing that in my capacity as City Attorney I enter into a consulting contract with CN Consulting, LLC for services of Terrell Dale Teutsch related to staffing and organization of the Bossier City Police Department civil service law and procedure police during this transition period. I would be the only agency head that would be contracting for services and Terrell Dale Teutsch would have no interaction with his daughter Amanda Nottingham who serves as an employee in a different department of the city. If required by the Board, I would prepare and submit a disqualification plan related to Amanda Nottingham and Terrell Dale Teutsch although I do not believe it would be necessary under these facts.

I do not believe that there is a violation of the Louisiana Code of Governmental Ethics and I would like to utilize Retired Chief Teutsch's wealth of knowledge and experience but would like to obtain the advisory opinion before proceeding. Chief Teutsch was employed by the Bossier City Police Department for many years and served in police administration. He is well respected in all local and regional law enforcement agencies and he will be a valuable resource to me as we navigate the process of selecting a new Chief of Police and other issues related to staffing and organization of the BCPD.

I respectfully request an advisory opinion on the matters raised herein so that I may move forward with the consulting contract. Please undertake all necessary steps to address this issue and to place this matter on the earliest available agenda date for consideration by the Board of Ethics. Thank you in advance for your consideration. Please contact me at (318) 741-8515 should you have any questions regarding this matter or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Charles Jacobs", is written over the typed name and title.

E. Charles Jacobs
City Attorney
Bossier City Attorney's Office

ECJ/je

BOSSIER CITY – CITY CHARTER

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BOSSIER CITY
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Chapter 1. Incorporation and Boundaries

Section 1.01 Incorporation.

The City of Bossier City, as its boundaries now are or may hereafter be, shall continue to be a municipal corporation and body politic, and by the name and style of the City of Bossier City shall have perpetual succession.

Section 1.02. Enlargement of boundaries.

The boundaries of the City of Bossier City may be enlarged from time to time as may be provided in the laws of the state relating to annexation.

Chapter 2. Powers

Section 2.01. General powers.

The City of Bossier City shall have and may exercise all the powers, rights, privileges and immunities which are now, or may hereafter be, or could be conferred upon municipalities by the constitution and laws of the state; all powers, rights, privileges and immunities heretofore conferred on the City by any special act and not inconsistent with this plan of government; and all other powers pertinent to the government of a City the exercise of which is not expressly prohibited by the constitution of the state and which, in the opinion of the City Council, are necessary or desirable to promote the general welfare of the City and the safety, health, peace, good order, comfort, convenience and morals of its inhabitants, as fully and completely as though such powers were specifically enumerated in this plan of government, and no enumeration of particular powers in this plan of government shall be taken to be exclusive but shall be held to be in addition to the general grant of power.

Section 2.02. Financial powers.

Without limiting the powers granted in this charter, the City shall have the following nonexclusive powers:

- (a) To secure revenues, monies and credits of such nature and amount in such matters as is not prohibited by the constitution and laws of the state.
- (b) To expend revenues, monies and credits for any municipal or public purpose and as may be necessary, requisite or proper for the management of its affairs, except as may be allocated by law to some specific purpose.

Section 2.03. Powers relating to public works, utilities and properties acquisitions.

In addition to the powers granted by other sections of this plan of government, the City shall have the following powers:

- (a) To acquire, accept or expropriate property and property rights and to hold, manage, control, sell, grant, lease or donate such property or property rights in any manner for any purpose not prohibited by the constitution or laws and as may be necessary, requisite or proper.
- (b) To provide for, maintain, operate, dispose of or abandon such public works, public utilities and recreational use properties as may be necessary, requisite or proper.

Section 2.04. Powers relating to the preservation of the public peace, safety, health and welfare.

In addition to the powers granted by other sections of this plan of government, the City shall have the power:

- (a) To make all necessary ordinances and regulations to protect the public safety, health and welfare.

- (b) To make all necessary ordinances and regulations to protect and maintain both public and private property.
- (c) To take all actions necessary, requisite, or proper to protect life and property in the event of an emergency.
- (d) To provide and maintain the necessary manpower and equipment to implement such ordinances and regulations.

Section 2.05. Enforcement powers.

The City shall have power to:

- (a) Provide suitable penalties for the violation of any of the criminal or regulatory ordinances which it is authorized to enact under this plan of government.
- (b) To require licenses or permits whenever such requirement will facilitate the enforcement of any regulatory ordinance or any law enacted under the provisions of this plan of government.
- (c) To abate nuisances and to establish minimum standards for new and existing structures and properties within the City, and to provide for the enforcement thereof, pursuant to due process of law.

Chapter 3. City Council

Section 3.01. Composition, qualifications and election.

- (a) The City Council shall consist of seven (7) members elected as follows:
 - (1) Five (5) members shall be elected from City Council districts by the qualified electors in each City Council district.
 - (2) Two (2) members shall be elected-at-large by all the qualified electors of the City.
- (b) Members of the City Council shall be eligible for re-election.
- (c) City Council members shall be qualified electors of the City.
- (d) The two (2) members of the City Council elected at-large, at the time for qualifying for office, shall reside within the incorporated boundaries of the City. The five (5) City Council members elected by districts shall, at the time set for qualifying for office, reside within the district from which elected. City Council members shall continue to actually reside in the City, and where applicable, in their respective districts during the term of office.
- (e) Members of the City Council shall hold no other elected or appointed public office.
- (f) Elections shall be held in accordance with the election laws of the state. Elected City Council members shall take office July 1 in the year of their election. The term of office for City Council members shall be four (4) years.

Section 3.02. City Council districts.

- (a) Five (5) City Council districts shall be defined in accordance with Section 3.03 of this Charter.
- (b) Two (2) City Council at-large districts shall consist of the boundaries of the City.

Section 3.03. Changes in district boundaries.

- (a) Any ordinance annexing new areas to the City shall prescribe the City Council district or districts in which said area shall be included.
- (b) At least one (1) year prior to the first primary election for City Council members following each federal census, the City Council shall, by ordinance, alter, change, or rearrange the five (5) City Council districts so that each City Council district shall contain, as near as can be determined, the same number of people.

Section 3.04. Vacancies and forfeiture of office.

- (a) Vacancies. The office of a City Council member shall become vacant upon his/her death, his/her resignation from office (in any manner authorized by law) or forfeiture of his/her office.
- (b) Forfeiture of office. A City Council member shall forfeit his/her office if he/she:
 - (1) Lacks, at any time during his/her term of office, any qualification for the office prescribed by this charter or state law.
 - (2) Is found guilty of a felony by a jury or a court of competent jurisdiction.
- (c) Any vacancy arising in the office of a City Council member shall be filled by a qualified candidate within ten (10) days after the occurrence of such vacancy by majority vote of the remaining members of the City Council. The term of the individual elected to fill the vacancy shall be determined as follows. In the event that the unexpired portion of the term is not longer than twelve (12) months after the occurrence of such vacancy, the individual shall serve for the remaining period of the term. If more than twelve (12) months remain in the unexpired portion of such term, the individual elected by the City Council shall serve until such time as an individual is elected to serve in the vacated City Council position for the remainder of the term. Said election shall be in accordance with the general election laws of the State of Louisiana and held at the next regularly scheduled election.

Section 3.05. Removal of elective officers.

In addition to any other methods provided by law for the removal of elective officers, the holder of any of the above elective offices may be removed, at any time, by the electors of the City in the manner provided for the recall of elective officers of municipalities by the constitution and laws of the state. Any qualified elector of the City shall have the right to enforce forfeiture under Section 3.04 by petition to district court.

Section 3.06. Compensation.

- (a) City Council members shall be paid a salary as set by an ordinance. Any ordinance increasing the salary or granting any other monetary compensation shall be passed by an affirmative vote of at least five (5) members of the City Council, and shall not be effective until the date of commencement of the terms of City Council members elected at the next regular election, and shall have been passed at least one (1) year prior to that election.
- (b) Upon approval of the City Council, members of the City Council may be reimbursed by the City for actual and reasonable expenses incurred in the performance of their duties. Reimbursement shall be contingent upon presentation of properly documented receipts for expenditures.

Section 3.07. General powers and duties.

All powers of the City shall be vested in the City Council, except as otherwise provided by law or this charter, and the City Council shall provide for the exercise thereof, and for the performance of all duties and obligations imposed on the City by law.

Section 3.08. Prohibitions.

- (a) No City Council member shall be employed by the City of Bossier City, during the term for which he/she is elected to the City Council.
- (b) Neither the City Council nor any of its members shall, in any manner, dictate the appointment or removal of any City employee whom the Mayor or any of his subordinates are empowered to appoint, except as provided elsewhere in this charter.
- (c) Except for the purpose of inquiries, and investigations under Section 3.09, and for the purpose of gathering information, the City Council or its members shall deal with City employees who are subject to the direction and supervision of the Mayor, solely through the Mayor. Neither the City Council nor its members shall give orders to any employee, either publicly or privately.
- (d) Any citizen of Bossier City, including City employees, may bring suit in a court of proper jurisdiction against the Mayor or any City Council member for violations of provisions of this section.

Section 3.09. Investigations.

The City Council or any committee thereof, when authorized by City Council resolution, may make investigations into the affairs of the City and into the conduct of any City department, division, section, office or agency. For this purpose they may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Any person who fails, or refuses, to obey a lawful order issued in exercise of these powers by the City Council shall be guilty of a misdemeanor and, upon conviction in the City Court of the City, be punished in accordance with City Ordinance.

Section 3.10. Independent audit.

Each year the City Council shall designate a certified public accountant, or firm of certified public accountants, who shall audit the receipts, books and accounts of every agency and department of the City which collects or disburses public funds. Such audit shall be conducted in accordance with Governmental Accounting Standards Board (GASB) and completed within ninety (90) days after the close of the fiscal year. Copies of the audit shall be on file for public inspection in the office of the Mayor and office of the City Clerk.

Section 3.11. Official journal.

The official journal shall be selected by the City Council in a manner consistent with State law.

Section 3.12. City Clerk.

The City Council shall nominate and by majority vote elect a City Clerk and may appoint deputy clerks as deemed necessary by the City Council. These shall be an unclassified employees whose terms will run concurrent with the election of City Council members. The City Clerk and any deputy clerks shall be certified by the International Institute of Municipal Clerks. An affirmative vote of at least five (5) members of the City Council is required to terminate the employment of the City Clerk. The City Clerk shall give notice of City Council meetings to its members and the public, keep the journal of its proceedings, be official secretary to the City Council and perform such other duties as are assigned to the position by this charter or by the City Council. The City Clerk shall maintain the same regular office hours as other City employees.

Section 3.13. City Council meetings and rules.

- (a) The City Council shall meet regularly (at least every other week) at such times and places as the City Council may prescribe by resolution. Special meetings may be held on the call of the president pro tem of the City Council or four (4) or more members of the City Council, and upon no less than twelve (12) hours notice to each member. To meet a public emergency affecting life, health, property or public safety, the City Council may meet upon the call of the president pro tem of the City Council, or four (4) or more members, at whatever notice it shall be feasible to give. Except for executive sessions or as otherwise allowed by state law, all meetings shall be open to the public.
- (b) The City Council shall determine its own rules and order of business, and shall provide for keeping a record of its proceedings. This record shall be a public record.
- (c) All City Council members shall take an oath of office before entering upon the duties of their office. The oath may be administered by any person qualified by law to do so.
- (d) At the first regular meeting of a newly elected City Council and annually thereafter, a president pro tem shall be elected from among the City Council membership for a one-year term of office. The president pro tem shall preside over the City Council meetings.
- (e) Voting shall be by an electronic voting machine and shall be recorded in the journal. A majority of the City Council membership shall constitute a quorum. Less than a quorum may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the City Council. A City Council member shall forfeit one (1) of month compensation for every three (3) consecutive unexcused absences from scheduled City Council meetings called in accordance with the provisions of this charter.
- (f) No action of the City Council shall be valid or binding unless adopted by the affirmative vote of a majority of the City Council membership.

Section 3.14. Procedure for passing ordinances; exceptions.

- (a) Ordinances shall be introduced in typewritten or printed form and, except in case of codification of ordinances and the annual budget, ordinances shall be confined to a single subject that shall be clearly expressed in the title. Ordinances may be introduced at any regular meeting of the

City Council or at a special meeting, if the subject thereof has been included in the notice of such meeting. The title of each ordinance shall be included in the minutes of the meeting. Every ordinance shall remain on file in final form for public inspection with the City Clerk at least seven (7) days before its final adoption by the City Council. Notice of the introduction of ordinances must be published at least once in the official journal of the City at least (7) days before final adoption. If, during that period, any person files with the City Clerk his/her objection to the ordinance in writing, stating in general his/her reason for objecting, or if he/she appears in person during the period to object, the City Council shall grant him/her the right to be heard before the final adoption of the ordinance.

- (b) Zoning ordinances are excepted from paragraph (a) of this section. Zoning ordinances shall be introduced in typewritten form and shall be confined to a single subject, which shall be clearly expressed in the title. Zoning ordinances may be introduced and adopted at any regular meeting of the City Council or at a special meeting, if the subject thereof has been included in the notice of such meeting, and provided at least one public hearing by the Metropolitan Planning Commission or the City Council has been held in accordance with law. If a public hearing has been held before the Metropolitan Planning Commission, an aggrieved party may request that another public hearing be held before the City Council. This request for a public hearing shall be made in writing to the City Clerk within ten (10) days of the decision of the Metropolitan Planning Commission. If no formal request for hearing before the City Council is made, as provided herein, then the zoning ordinance may be introduced and adopted by the City Council without any further hearing thereon. If proper request is made for a public hearing before the City Council, a public hearing shall be held before the City Council after notice to the party, or parties, who requested the hearing and after advertisement as otherwise provided by law. (Ord. 85-1980, 7-15-80, ratified 9-13-80)

Section 3.15. Procedure for passing resolutions.

All resolutions shall be introduced in typewritten form and shall be confined to a single subject, which shall be clearly expressed in the title. Resolutions may be introduced and adopted at any regular meeting of the City Council or at a special meeting, if the subject thereof has been included in the notice of such meeting. (Ord. No. 85-1980, 7-15-80, ratified 9-13-80)

Section 3.16. Emergency ordinances.

An emergency ordinance, which shall be for the immediate preservation of the public peace, health, or safety, shall contain a specific statement of the emergency claimed and shall be passed by not less than five (5) affirmative votes. Such an ordinance may be adopted without regard to restrictions of Section 3.14 and shall take effect at such time as provided for in the ordinance. The Mayor shall have no power to veto an emergency ordinance.

Section 3.17. Publication of ordinance.

Every ordinance passed by the City Council shall be published in the official journal of the City. No ordinance passed by the City Council, with the exception of emergency ordinances as provided herein, shall be effective before ten (10) days from the date of its publication.

Section 3.18. Protest.

If, during the ten (10) days following publication of any ordinance passed by the City Council, a petition is filed with the City Clerk protesting the passage of the ordinance and signed by electors equal to or greater in number than twenty-five (25) percent of the entire vote cast for all candidates for Mayor in the last contested election, the ordinance shall be thereupon suspended from operation and effect and shall be subject to reconsideration by the City Council. If the ordinance is not vetoed or repealed within thirty (30) days of such filing with the City Clerk, the City Council shall submit it to the vote of the electors of the City, either at the next regular election or at a special election called for that purpose. The ordinance shall become operative, if a majority of the votes cast are in favor thereof.

Section 3.19. Publication of minutes.

The City Council shall keep a journal of its proceedings in which the minutes of each meeting shall be recorded. The minutes of each City Council meeting, whether regular or special, shall be published in the official journal not later than fifteen (15) days after the meeting. All ordinances, except codifications of ordinances, shall be printed in full in the minutes of the meeting at which they are adopted. Ordinances codifying all ordinances, or any class of ordinances, shall be published in such manner as the City Council shall direct. It shall be the duty of the City Clerk to maintain a register of ordinances in which all ordinances shall be recorded in full and which shall be adequately indexed.

Section 3.20. Action requiring an ordinance.

In addition to the other acts required by law or by specific provision of this charter to be done by ordinance, those acts of the City Council listed below shall be by ordinance. Acts other than those listed below may be accomplished by ordinance or resolution, as recommended by the City Attorney, upon concurrence by a majority of the City Council.

- (a) Adopt or amend an administrative code.
- (b) Provide a fine or other penalty, or establish a rule or regulation for violation of which a fine or other penalty is imposed.
- (c) Levy taxes or assessments.
- (d) Appropriate funds and/or adopt a budget for the City.
- (e) Grant, renew, or extend a franchise.
- (f) Provide for raising revenue.
- (g) Regulate the rate, or other charges, for service by the City, including any utility.
- (h) Authorize the borrowing of money.
- (i) Incur debt in any manner.
- (j) Abandon property owned by the City.
- (k) Convey or lease, or authorize the conveyance or lease, of any lands or property of the City.

- (l) Acquire real property on behalf of the City.
- (m) Adopt or modify the official map, platting or subdivision controls, or regulations or the zoning plan.
- (n) Adopt, without substantive amendment, ordinances proposed under the initiative power.
- (o) Amend or repeal any ordinance previously adopted.
- (p) Authorize any contract or formal agreement on behalf of the City.
- (q) Propose any amendments to this charter.
- (r) Direct expropriation and quick take actions.

Chapter 4. Mayor

Section 4.01. Election

The Mayor shall be elected according to the laws of the state, serve a term of four (4) years, and be eligible for re-election. The term of office shall begin on July 1 of the year in which he/she was elected.

Section 4.02. Executive authority.

The Mayor shall be the chief executive officer of the City. All executive and administrative authority shall be exercised by and through the Mayor except as set forth in this charter.

Section 4.03. Qualifications.

The Mayor shall be a qualified elector of the City and shall have resided continuously for one (1) year immediately preceding the date of the general election in an area which, at the time set for qualifying for office, is within the incorporated boundaries of the City. He/she shall hold no other elective or appointive public office or salaried employment except that of notary public or as a member of the National Guard, or Reserve component of the State of Louisiana.

Section 4.04. Compensation.

The initial annual salary of the Mayor shall be as established by ordinance, and be payable in equal bi-weekly installments. Any ordinance increasing the Mayor's salary, or granting any other monetary compensation, shall be passed by an affirmative vote of at least five (5) members of the City Council. Approved increases shall not be effective until the date of commencement of the terms of City Council members elected at the next regular election and shall have been passed at least one (1) year prior to that election.

Section 4.05. Vacancies and Absence.

(a) Vacancies.

- (1) In the event of a vacancy in the position of the Mayor, the City Council shall within ten (10) days appoint from its members a Mayor pro tem who shall assume the duties of the Mayor until the position is filled as provided by law. When the Mayor pro tem assumes the duties of the Mayor, he/she shall lose his/her vote in matters before the City Council.
- (2) A vacancy in the office of Mayor shall occur under the circumstances set forth in Article 10, Section 27, of the Louisiana Constitution of 1974. The vacancy shall be filled as provided by the election laws of the State of Louisiana.
- (3) When the Mayor pro tem assumes the duties of Mayor, he/she shall be compensated at the rate of fifty (50) percent of the Mayor's salary for the first thirty (30) days served, seventy-

five (75) percent for the second thirty (30) days served, and one hundred (100) percent for the third and subsequent thirty (30) day periods served.

- (b) During the temporary absence of the Mayor (less than thirty [30] days) the Mayor may designate the Chief Administrative Officer or other appointed City employee as his/her representative by a letter filed with the City Clerk. If the Mayor is absent for a period of 90 days, the City Council shall determine if a vacancy exists in the office of the Mayor. The declaration of a vacancy must be sustained by a vote in the affirmative by at least five (5) members of a seven (7) member City Council.

Section 4.06. Powers and duties of the Mayor.

The Mayor shall be the executive officer of the City. He/she shall have the following powers and duties:

- (a) The Mayor shall have the right to be present at all meetings of the City Council, or in his/her absence, to be represented by his/her designee. The Mayor shall have the right to speak at any time on any issue, but shall not have the power to vote at any City Council meeting.
- (b) The Mayor shall have the power to veto any ordinance passed by the City Council. Such veto must be filed, in writing, with the City Clerk within ten (10) days from the date of publication of such ordinance. The City Clerk shall notify all members of the City Council, in writing, of the filing of a veto. The City Council may override Mayor's veto if at least five (5) members of the City Council vote in favor of the ordinance. A vote to override the veto of the Mayor must be taken within thirty (30) days from the filing of the written veto with the City Clerk.
- (c) The Mayor shall have the authority to appoint, suspend, or remove any City employee as provided for by, or under, this charter or other law except as otherwise provided by law, this charter, civil service or other personnel rules adopted pursuant to this charter. He/she may authorize any appointed City employee, who is subject to his/her direction and supervision, to exercise these powers with respect to subordinates in their respective department, division, branch, section, office, or agency.
- (d) The Mayor shall direct and supervise the administration of all departments, divisions, branches, sections, offices and agencies of the City, except as otherwise provided by this charter or by law.
- (e) The Mayor shall ensure the enforcement and faithful execution of all laws, provisions of this charter, and acts of the City Council, subject to enforcement by him/her, or employees subject to his/her direction or supervision.
- (f) Prepare and submit to the City Council the annual budget and five (5) year capital program.
- (g) Submit to the City Council and make available to the public an annual report detailing the finances and administrative activities of each department of the City at the end of each fiscal year.

- (h) Make such other reports as the City Council may reasonably request to enable the City Council to function.
- (i) Keep the City Council fully advised of the financial condition and future needs of the City and make such recommendations to the City Council concerning the affairs of the City.
- (j) Perform such other duties as are specified in this charter or as may be required by the City Council.
- (k) The Mayor may call special City Council meetings upon no less than twelve (12) hours' notice to each member to meet a public emergency affecting life, health, property or public safety. The City Council shall meet upon the call of the Mayor at whatever notice it be feasible to give.
- (l) The Mayor may delegate authority for operation and management of all, or some, City departments and all resources therein, with the exception of the City Attorney.
- (m) The Mayor shall select and nominate, for City Council confirmation by majority vote, the following key City employees: Director of Finance; Director of Public Works; Director of Public Utilities; Chief Administrative Officer; City Attorney; City Engineer; Director, Parks and Recreation Division; Director, Fleet Services Division; Director, Human Resources Division; Director, Civic Center Division; Director, Arena Division (if not under contract Management); or any other appointed position approved by the City Council. All employees nominated by the Mayor and confirmed by the City Council shall serve terms coinciding with that of the Mayor who nominated them.
- (n) The Mayor shall appoint the Police Chief and Fire Chief, and shall not require City Council confirmation.

Chapter 5. Initiative and Referendum

Section 5.01. Initiating ordinance: Referendum for amendment or repeal.

Any proposed ordinance may be submitted to the City Council by petition signed by electors equal in number to thirty-three (33) percent of the votes cast for all candidates for Mayor at the last preceding contested general election. Where the petition contains a request that the ordinance be submitted to a vote of the people, if not passed without veto by the City Council, the City Council shall either pass without veto the ordinance without alteration within thirty (30) days after attachment of the certificate of the registrar of voters to the petition; or forthwith after the registrar of voters has attached his/her certificate to the petition, the City Council shall call an election to be held within ninety (90) days thereafter. At the special or general City election, the ordinance shall be submitted without alteration to the vote of the electors of the City. When voting upon the ordinance, the ballots used shall contain these words: "For the ordinance" (stating the nature of the proposed ordinance); "Against the ordinance" (stating the nature of the proposed ordinance). The ordinance shall become operative if a majority of the votes are in favor of it. The Mayor shall have no power to veto an ordinance so passed.

Section 5.02. Initiative ordinance proposed by City Council.

The City Council may by majority vote propose an ordinance to be submitted to a vote of the people. The proposed ordinance shall provide that it shall only become operative if a majority of the votes of the people are cast in favor thereof and shall first be introduced by the City Council in accordance with the regular procedure for passing ordinances as provided by this charter. Within ninety (90) days of such passage, the City Council shall call an election to be held in accordance with the provisions as provided for by state law. The ordinance shall become operative if a majority of the votes cast are in favor of it. The Mayor shall have no power to veto an ordinance so passed.

Section 5.03. Repeal of initiative ordinance.

An ordinance proposed by petition or adopted by a vote of the people can be repealed or amended only by a vote of the people. The City Council, pursuant to its own resolution or petitioned to do so, shall submit a proposition for the repeal or amendment of the ordinance by special election in the same manner and form provided in Section 5.02. If the proposition to repeal or amend the ordinance receives a majority of the votes cast upon submission at the special election, the ordinance is repealed or amended accordingly.

Section 5.04. Submission of more than one ordinance at the same election.

Any number of proposed ordinances may be voted upon at the same election. There shall not be more than one special election in any period of six (6) months for the purpose of voting for the adoption, repeal or amendment of ordinances.

Section 5.05. Publication or ordinances to be voted upon.

Whenever any proposition is required by this plan of government to be submitted to the voters of the City at an election, except a proposition for the amendment of this plan of government, the City Clerk shall cause the ordinance or resolution, as the case may be, to be published in the official journal, such publication to be not more than forty-five (45) or less than fifteen (15) days before submission of such proposition to be voted upon. All elections at which propositions are submitted shall be conducted in the manner provided by the laws of the state.

Chapter 6. Budgets.

Section 6.01. Fiscal Year.

The fiscal year of the City shall begin on the first (1st) day of January and end on the thirty-first (31st) day of December following, or as may be established by ordinance.

Section 6.02. Budgets.

There shall be adopted not later than the first day of December in each year the following budgets controlling the financial operation of the City during the ensuing fiscal year:

- (a) A general fund budget including receipts from all sources not covered by other budgets and estimated expenditures to be made from such receipts.
- (b) A separate special fund budget including estimated receipts from each special levy authorized in accordance with law and from each other source of revenue allocated by law to a specific purpose and estimated expenditures to be made therefrom.
- (c) A utility budget including estimated receipts from the water and sewerage services of the City, and estimated expenditures to be made therefrom, in accordance with the provisions of Chapter 20 of this plan of government.
- (d) A capital budget as hereinafter provided.

Section 6.03. Estimate of receipts and expenditures.

Annually, at such time as the City Council shall determine by resolution, it shall be the duty of the head of each department and each agency supported wholly or partly by City funds, including the City Court and City Marshall's Office, to file with the Mayor, or his designated Director of Finance, on forms provided by the Mayor, estimates of the expenditures proposed to be made by their respective department or agencies during the ensuing fiscal year by authority of the general fund, any special fund, the utility fund, as the case may be. Such estimates shall be in detail, itemized by operating units and by the character and object of expenditures. It shall be the duty of the Mayor, or his/her designated Director of Finance, to prepare estimates of receipts for each budget for the ensuing fiscal year, itemized by sources, estimates of the surplus or deficit at the end of the current fiscal year in the general fund and each other fund for which a separate budget is required, estimates of expenditures for bond retirement, interest and sinking fund, and estimates of other necessary expenditures for the ensuing fiscal year not included in the estimates of the several departments and agencies. It shall further be the Mayor's duty, or his designated Director of Finance, to compile all the estimated receipts and expenditures referred to in this section, for each budget, establish the relation of total estimated receipts to total estimated expenditures for each budget, and after such conferences as may be deemed necessary with the heads of department and other agencies affected thereby, to bring such compiled estimates before the City Council for action thereon.

Section 6.04. Responsibilities of the City Council on introduction, publication, hearing on and adoption of budget ordinances.

Not later than the fifteenth (15th) day of November, the City Council shall determine the estimated receipts and expenditures on which it will base the budget ordinances for the ensuing fiscal year; provided that the City Council shall not increase any receipt as estimated by the Mayor or decrease his/her estimate of the expenditure required for bond retirement, interest and sinking fund; and provided, further, that in no event shall the total estimated expenditures for any budget exceed the total estimated receipts for such budget, taking into account any estimated surplus or deficit from the current fiscal year. The compiled estimates for each budget, as finally determined, shall thereupon be filed in the office of the Director of Finance and City Clerk and shall be open to public inspection during every business day until the budgets are finally adopted. Immediately following the final determination of estimated receipts and expenditures to be included therein, the Director of Finance as directed by the Mayor shall prepare and introduce in the City Council a separate ordinance for each budget, listed in Section 6.02, making appropriation for the ensuing fiscal year. In these budget ordinances, receipts shall be itemized by sources and expenditures by organization units and by the principal objects of expenditure, to wit: salaries and wages, capital outlays and other expenses. Such ordinances shall, as promptly as possible after introduction, be published once in the official journal, together with a notice of the time and place, not less than five (5) days after such publication, at which the City Council will hold a public hearing on said ordinances. After the conclusion of the public hearing thereon and before the first (1st) day of December, the City Council shall finally adopt the several budget ordinances, with or without amendment, provided that the estimated receipts shall not be increased or the estimated expenditures for bond retirement, interest and sinking fund be decreased; and provided, further, that the total of estimated expenditures in any budget shall exceed the total estimated receipts therein, taking into account any estimated surplus or deficit from the current fiscal year.

Section 6.05. Budget Reports and Amendments.

After the adoption of the ordinances provided for in Section 6.02, Budgets, the Mayor shall submit to the City Council, after the close of each month, a report that compares budgeted-to-actual monthly expenditures, year-to-date expenditures, including encumbered/ unencumbered funds, line item balances and receipts to date for all budgeted revenues. If during the course of reviewing these reports, the City Council observes a budget variance, the City Council may ask the Mayor to provide an explanation. The Mayor shall provide an explanation. In the case of a proposed budget amendment, a determination must be made in writing to show that sufficient funds are available to accommodate the proposed amendment. If at any time during the fiscal year the Mayor shall ascertain that changes in estimated receipts and/or expenditures in any budget ordinance will cause a deficit, he/she shall prepare an ordinance amending said budget. The amendment(s) shall reflect the reduced/increased receipts and/or reduced expenditures necessary to prevent the incurring of said deficit. The budget amendment(s) shall take into consideration any estimated fund surplus and any legally available transfers from other funds to the fund being amended.

Section 6.06. Additional appropriations and budget amendments.

During the course of the year, circumstances may dictate that additional appropriations or transfers from one line item of appropriation to another be made. These appropriations and/or transfers must be made by amending the respective budgets by ordinance. The Mayor or City Council may propose budget amendments at any time, provided that there are sufficient unencumbered and unappropriated surpluses or fund balances from which such transfers and appropriations can be legally made.

Section 6.07. Appropriations to lapse at close of fiscal year.

Any portion of any appropriation, except an appropriation for a capital improvement, remaining unexpended and unencumbered at the close of the fiscal year, shall lapse. Appropriations for capital improvements shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided that any project shall be deemed to have been abandoned, if three (3) fiscal years have elapsed without any expenditure from or encumbrance of the appropriation.

Section 6.08. Certification of funds, penalty for violation.

No payments shall be made and no obligation incurred against any appropriation unless the Mayor shall first certify that there is sufficient unexpended and unencumbered balance in such appropriation to meet the same. Every expenditure or obligation authorized or incurred in violation of the provisions of this plan of government shall be void. Every payment made in violation of the provisions of this plan of government shall be deemed illegal and every officer or employee who shall knowingly authorize or make such payment or take part therein, and every person who shall knowingly receive such payment or any part thereof, shall be liable to the City for the full amount so paid or received. If any employee or appointed employee of the City knowingly incurs any obligation, authorizes or makes any expenditure in violation of the provisions of this plan of government, or takes part therein, such action shall be cause for his/her removal in accordance with the provisions of Chapter 7 of this plan of government. If any elective official shall be guilty of a similar offense he/she shall be removed in accordance with law.

Section 6.09. Capital budget.

The City Council shall consider and adopt the capital budget within the first sixty (60) days of each fiscal year. The capital budget shall contain a program of capital improvement projects for the current fiscal year and the succeeding four (4) years. It shall include estimates of the cost of each such improvement project and proposals as to the means of financing the same. The adoption of the capital budget shall not be an appropriation of any of the sums mentioned therein, but as a declaration of City policy as to the character and relative importance of capital improvements and the order in which they should be made.

Section 6.10. Responsibilities of administration on introduction, publication, hearing on, adoption, line item veto and adoption of budget ordinance.

- (a) The Director of Finance, as directed by the Mayor, shall, not later than the fifteenth (15th) day of October, determine the estimated receipts and expenditures on which the budget ordinances shall be based for the ensuing fiscal year, and provided that, in no event shall the total estimated expenditures for any budget exceed the total estimated receipts for such budget, taking into account any estimated surplus or deficit from the current fiscal year. The compiled estimates for each budget shall be filed in the office of the Director of Finance and the City Clerk and shall be open to public inspection.
- (b) The Director of Finance as directed by the Mayor shall, not later than the fifteenth (15th) day of October, prepare for and introduce to the City Council a separate ordinance for each budget listed in Section 6.02 making appropriation for the ensuing fiscal year. In these budget ordinances receipts shall be itemized by sources and expenditures by organization units and by the principal objects of expenditure, to wit: salaries and wages, capital outlays and other expenses. Such ordinances shall, as promptly as possible after introduction, be published once in the official journal, together with a notice of the time and place, not less than five (5) days after publication and not later than November fifteenth (15th), at which time the City Council shall hold a public hearing on said ordinances. After the conclusion of the public hearing thereon and before the first of December, the City Council shall finally adopt the several budget ordinances, with or without amendment; provided that the estimated receipts shall not be increased nor the estimated expenditures for bond retirement, interest and sinking fund decreased, and provided, further, that the total of estimated expenditures in no budget shall exceed the total estimated receipts therein, taking into consideration any estimated surplus or deficit from the current fiscal year.
- (c) The Mayor shall have the power to veto, by line item, any item or items appearing in the several budgets. This action by the Mayor shall be in writing, stating reasons for the veto, and shall be filed with the City Clerk within ten (10) days of the adoption of the tentative budget, but no later than December tenth (10th). This action by the Mayor shall be subject to the same budgetary requirements set out in the above section.
- (d) The several budgets, as submitted by the Mayor and amended by the City Council shall be deemed adopted unless veto action is taken by the Mayor in accordance with the above paragraph. The City Council shall have ten (10) days, following any veto action, and not later than December twentieth (20th), to override the veto or vetoes. The City Council shall have the power to override the veto of the Mayor if at least five (5) members of the City Council vote in favor thereof, subject to the budgetary limitations set out in the above section.
- (e) The several budgets, as submitted by the Mayor, amended and/or passed by the City Council, subject to the veto power of the Mayor, and subsequent City Council action in overriding this veto action in accordance with this section, shall be deemed approved no later than December twentieth (20th).

Chapter 7. Department of Public Affairs

Section 7.01. Organization

There shall be a Department of Public Affairs, which shall consist of the Mayor, the Chief Administrative Officer and Project Coordinator. This department may also have, if within its budget, a Public Information Section and other such functions or activities as the Mayor deems necessary.

Section 7.02. Mayor.

The Mayor shall be the head of the Department of Public Affairs.

The Mayor shall nominate individuals for boards, commissions, and committees in accordance with current existing directives governing such appointments and the City Council shall confirm approved individuals.

The Mayor shall establish policy and management regulations consistent with this plan of government and the ordinances of the City, prescribing the duties and responsibilities of all employees of the City.

It shall further be the duty of the Mayor to study the needs and requirements of the City and report to the City Council his/her recommendations for action upon any matter, which he/she deems necessary. To accomplish this, the Mayor shall have access to the books and records of all departments and agencies of the City. It shall be the duty of all employees to supply information in their possession concerning the affairs of the City as the Mayor may request. It shall be the further duty of the Mayor, or in his/her absence or vacancy in the office, the acting Mayor, to sign on behalf of the City contracts and other official documents.

Section 7.03. Chief Administrative Officer.

The Mayor shall nominate for confirmation by the City Council a Chief Administrative Officer. This shall be an unclassified employee position. The Chief Administrative Officer will serve as executive and administrative assistant to the Mayor, performing such duties as assigned by the Mayor.

Section 7.04. Project Coordinator

The Mayor may nominate for confirmation by the City Council a Project Coordinator. This shall be an unclassified employee position. The Project Coordinator shall be responsible for the planning, coordination, and management of special projects, as assigned by the Mayor. The position shall be responsible for coordination and implementation, general administration, and project management of all assigned projects.

Chapter 8. Legal Department

Section 8.01. Organization

This Department shall provide legal guidance to the Mayor, City Council and all departments of City government. It shall furnish the City Council, and/or any member thereof, or any board or commission established by this plan of government or by ordinance, a written opinion on any question of law involving their official powers and duties. At the request of any member of the City Council, this department shall prepare ordinances and resolutions for consideration by that body, and shall inform the Mayor of such requested actions prior to City Council agenda meetings. A review and recommendations shall be made on all bonds, deeds, leases, agreements, contracts or other instruments to which the City is a party or in which it has an interest. This department shall also be responsible for representing or supervising representation of the City in all litigation including the prosecution of ordinance violations in the City Court. The City Attorney, within his/her budget, shall be responsible for hiring the legal staff and support personnel necessary to facilitate the duties of this department. The Legal Department shall also be responsible for acquiring and monitoring any outside legal assistance the City may require.

Section 8.02. City Attorney

The City Attorney shall be responsible for and the head of the legal department.

The Mayor shall nominate for confirmation by the City Council a City Attorney. This shall be an unclassified employee position. He/she shall be an attorney-at-law and shall have actively practiced his/her profession in the State of Louisiana for not less than five (5) years immediately preceding his/her confirmation.

Section 8.03. Assistant City Attorney

The City Attorney may hire an Assistant City Attorney(s) to assist him/her, in the operation of the department, as his/her budget will allow. Assistant City Attorney(s) shall be an attorney-at-law and shall have actively practiced his/her profession in the State of Louisiana. The Assistant City Attorney(s) shall assist the City Attorney in all duties of the Legal Department. This shall include the representation of the City in all litigation including the prosecution of ordinance violations in the City Court. In the absence of the City Attorney a designated Assistant City Attorney shall assume the responsibilities of the department.

Chapter 9. Engineering Department

Section 9.01. Organization

Responsibilities of the Engineering Department shall include, but not be limited to: the review and approval of plans for City infrastructure; preparation of plans and specifications for selected City projects and preliminary negotiation for engineering and architectural services. It shall be the responsibility of the City Engineer, within his/her budget, to create, staff, modify, dissolve, and supervise divisions, branches and positions within his/her department, as necessary. These divisions may consist of, but not be limited to, Infrastructure Construction Inspection; Geographic Information Systems, Traffic Engineering and Permits and Inspection. The City Engineer may also hire Assistant City Engineer(s) and support personnel to assist him/her in the operation of the department.

Section 9.02. City Engineer

The Mayor shall nominate for confirmation by the City Council a City Engineer. This shall be an unclassified employee position. The City Engineer shall be a college graduate with a Bachelor's or Graduate Degree in Engineering; have a minimum of five year's related work experience, three of which were administrative or supervisory. He/she must also be a licensed engineer in the State of Louisiana. The City Engineer shall be the Flood Plain Administrator and implement provisions of the City's flood damage prevention ordinance.

Section 9.03 Assistant City Engineer

The Assistant City Engineer shall be a college graduate with a Bachelor's Degree in Engineering. This shall be an unclassified position. A designated Assistant City Engineer may, at the discretion of the City Engineer, function as the head of the Permits and Inspection Division and/or all other divisions of the Engineering Department in the absence of the City Engineer.

Section 9.04. Infrastructure Construction Inspection Division

The City Engineer may designate a Chief Inspector who shall be the head of this division. The division shall include, but not be limited to, inspectors experienced and qualified to inspect City water, sewer, streets, and drainage infrastructure projects.

Section 9.05. Geographic Information System Division

The City Engineer may designate a Geographic Information System (GIS) specialist who shall be head of this division. The GIS division shall be responsible for, but not limited to, creating and maintaining City electronic maps.

Section 9.06. Traffic Engineering Division

The City Engineer may designate a Traffic Superintendent who shall be responsible for, but not limited to, all traffic control devices along public streets; conducting studies to determine traffic volumes, speed, effectiveness of signals and other factors influencing vehicle traffic. He/she is also responsible for traffic signs and signals, street lighting oversight and coordination with utility company service providers.

Section 9.07. Permits and Inspection Division

The City Engineer may designate an individual highly qualified and experienced in all types of building and construction and capable of estimating project costs to be chief of this division. This shall be an unclassified employee position. The Division Chief shall be responsible for, but not limited to, supervision of the following branches: permits, inspections and property standards. The Division Chief may hire necessary inspectors if within his/her budget. These inspectors shall be unclassified employees. It shall be their responsibility to inspect buildings, plumbing, electrical and mechanical systems. This division shall operate in accordance with ordinances and other management directives applicable to their respective inspection function.

Section 9.08. Building Code Board of Appeals

There shall be a Building Code Board of Appeals, which shall consist of seven (7) members appointed by the Mayor and confirmed by the City Council in accordance with the Bossier City Code of Ordinances.

Chapter 10. Department of Building Maintenance

Section 10.01. Organization

The Mayor shall establish a Department of Building Maintenance with the approval of the City Council. This department shall be responsible for, but not limited to, in-house repair, renovation and maintenance of City owned buildings and other approved facilities. The division shall also be responsible for assigned groundskeeping. Recommendations shall be made to the Mayor concerning projects to be considered for accomplishment by contractors.

Section 10.02. Director of Building Maintenance

The Mayor shall nominate for confirmation by the City Council a Director of Building Maintenance. This shall be an unclassified employee position. The Director of Building Maintenance shall be experienced in all areas of commercial construction with a minimum of five (5) years experience in project management and supervision. It shall be the responsibility of the Director of Building Maintenance, within his/her budget, to create, staff, modify, dissolve, and supervise divisions, branches and/or positions within his/her department, as necessary.

Chapter 11. Department of Parks and Recreation

Section 11.01. Organization

The Department of Parks and Recreation shall be responsible for the supervision, acquisitions, planning, design, construction and maintenance of recreation facilities and services. The department shall develop immediate and long range plans to meet the recreational needs of all ages; prepare a budget and direct expenditures of department funds, while maintaining records of such.

The Department of Parks and Recreation may be divided into three divisions: 1) Administrative 2) Maintenance and 3) Recreation. It shall be the responsibility of the Director of Parks and Recreation, within his/her budget, to create, modify, staff, dissolve, and supervise divisions and branches within his/her department, as necessary.

Section 11.02. Director of Parks and Recreation

The Mayor shall nominate for confirmation by the City Council a Director of Parks and Recreation. This shall be an unclassified employee position. The Director shall be a college graduate with a Bachelor's Degree and have a minimum of five (5) year's related work experience, three (3) of which were administrative or supervisory. The Director of Parks and Recreation shall be responsible for and the head of the Department of Parks and Recreation. He/she shall serve as recreation consultant to the community.

Section 11.03. Assistant Director of Parks and Recreation

The Director of Parks and Recreation may hire an Assistant Director of Parks and Recreation. This shall be an unclassified employee position. The Assistant Director will assist the Director in part or all duties of the department, including but not limited to, the supervision and coordination of the activities of the three divisions. In the absence of the Director, the Assistant Director may assume the duties of the Director.

Section 11.04. Administrative Division

The Director may designate a Personnel and Financial Administrator who shall serve as head of this division. The division administrator shall have the responsibility for, but not be limited to, administrative, clerical, budget, computer, communication and information services.

Section 11.05. Maintenance Division

The Director may designate a Maintenance Administrator who shall serve as head of this division. The division administrator shall have the responsibility of, but not be limited to, planning, scheduling and supervising maintenance and repair work on parks and other recreational facilities and equipment.

Section 11.06. Recreation Division

The Director may designate a Recreation Administrator who shall serve as head of this division. The division administrator shall have responsibility for, but not be limited to, planning and implementation of recreation programs and supervision of recreation facilities and their personnel.

Chapter 12. Department of Fleet Services

Section 12.01. Organization

The Department of Fleet Services shall maintain and equip the central garage facility as directed by the Mayor and shall coordinate its use with others charged with fleet maintenance responsibilities. The equipment for which the department shall be responsible to maintain shall include all, or any part of, vehicles and equipment owned by the City. When approved by the Mayor, responsibility for maintenance of special use vehicles and equipment may be delegated to the directors of the Police and Fire Departments.

Section 12.02. Director of Fleet Services

The Mayor may nominate for confirmation by the City Council a Director of Fleet Services. This position shall be an unclassified position. The Director of Fleet Services shall have experience in automotive and equipment maintenance and service. He/she shall also have a minimum of three (3) years of administrative or supervisor experience in the service maintenance field. The Director shall head the fleet services department. It shall be the responsibility of the Director of Fleet Services, within his/her budget, to create, modify, staff, dissolve, and supervise divisions and branches within his/her department, as necessary. The Director may establish the divisions, branches and supervisory positions listed below.

Section 12.03. Administrative Division

The Administrative Division may employ individuals qualified to perform data entry and administrative functions of the central garage to include, but not limited to, the following: job order administration; maintenance scheduling and personnel records.

Section 12.04. Maintenance Division

The Director may hire a Maintenance Division Supervisor. The Maintenance Division may employ qualified automotive maintenance technicians to fill authorized positions for which funds are appropriated to the central garage.

Section 12.05. Small Engines and Miscellaneous Equipment Division

The Small Engines and Miscellaneous Equipment division may employ technicians qualified to maintain miscellaneous equipment items to include, but not limited to, lawn mowers, trimmers, lift station and other pumps, and other equipment items.

Chapter 13. Department of Community Development

Section 13.01. Organization

The Department of Community Development shall be responsible for the application and administration of the Community Development Block Grant funds from the U.S. Department of Housing and Urban Development (HUD), or other state or federal agency grants, for the purpose of, but not limited to, public infrastructure, facilities, utilities, services, economic development and housing rehabilitation to benefit low moderate to low income persons and areas within the City. The department shall also be the office of primary responsibility for fair housing within the City and the Director shall be the fair housing officer for the City.

Section 13.02. Director of Community Development

The Mayor may nominate for confirmation by the City Council a Director of Community Development. This shall be an unclassified employee position. The Director shall be a college graduate with a Bachelor's Degree; have a minimum of five (5) year's related work experience, three (3) of which were administrative or supervisory. It shall be the responsibility of the Director of Community Development, within his/her budget, to create, modify, staff, dissolve, and supervise divisions and branches within his/her department, as necessary. The Director of Community Development may create the following divisions: Administrative; Housing and Construction; Economic Development; Services; Grant Writing; and Environmental Review of U.S. Department of Housing and Urban Development programs.

Section 13.03. Administrative Division

The Director of Community Development may designate a Federal Aid Coordinator who shall be the head of this division. The division shall include, but not be limited to, workers experienced and qualified to carry out the administrative activities of the division. The division shall be responsible for the general administration, grant administration and record keeping of the division. It shall be responsible for the administration of HUD grants and any other grants received through the grant-writing division and project monitoring for compliance with HUD and other federal and state requirements.

Section 13.04. Housing and Construction Division

The Director of Community Development may designate a Rehabilitation Specialist who shall be the head of this division. This division shall be responsible for, but not limited to, inspection of properties, preparation of plans, specifications and construction estimates of projects funded by HUD or other federal or state grants administered by the Community Development Department. These are primarily for housing rehabilitation and emergency housing rehabilitation programs.

Section 13.05. Economic Development Division

The Director of Community Development may designate an Economic Development Specialist who shall be head of this division. This division shall be responsible for, but not limited to, planning for and implementing the economic activities that are a part of the Community Development Block Grant program, and other federal and state economic development grants and programs.

Section 13.06. Services Division

The Director of Community Development may designate a Services Specialist who shall be the head of this division. The Services Division shall be responsible for, but not limited to, administration and monitoring of public service sub-grants, City public service activities and coordination with area public service organizations and public service providers.

Section 13.07. Grants Writing Division

The Director of Community Development may designate a Grant Writer who shall be the head of this division. This division shall be responsible for, but not limited to, preparation of grant applications for the City. The division shall search and apply for grant funds from HUD and other federal and state agencies that can benefit the City and for which the City is eligible. This division will consult with the City departments and/or divisions that are the intended recipients of the funds in preparing the grant package.

Section 13.08. Environmental Review Division

The Director of Community Development may designate an Environmental Review Specialist who shall be the head of this division. This division shall be responsible for, but not limited to, conducting or coordination of the performance of, the environmental review required for all projects administered by this division and, at the discretion of the Mayor, other City projects requiring environmental review.

Chapter 14. Civic Center

Section 14.01. Organization

The Civic Center Department shall be responsible for the booking/scheduling of events in the Civic Center, all clerical functions to include issuance of contracts and invoices pertaining to civic center use; maintain the master schedule of events; receipt of all fees and deposit of same. The department shall be responsible for the appearance, maintenance, and functionality of the Civic Center and its equipment.

Section 14.02. Executive Director

The Mayor shall nominate for confirmation by the City Council an Executive Director of the Civic Center. This shall be an unclassified employee position. It shall be the responsibility of the Executive Director, within his/her budget, to create, modify, staff, dissolve, and supervise division and branches within his/her department, as necessary. The Executive Director's responsibilities include, but are not limited to the following: supervision of all Civic Center operations which include administrative, operations and catering divisions; and for the overall operation of the community center and other designated City-owned buildings.

Section 14.03. Administrative Division

The Executive Director may designate a Booking Manager who shall be the head of this division. The responsibilities of personnel assigned to this division shall include, but not be limited to, booking/scheduling events in the Civic Center; all clerical functions to include issuance of contracts and invoices pertaining to Civic Center use; maintain the master schedule of events; receipt of all fees and deposits of same; receptionist; and maintenance of personnel records and annual and sick leave files.

Section 14.04. Operations Division

The Executive Director may designate an Operations Supervisor who shall be the head of this division. Responsibilities of the Operations Supervisor assigned to this division shall include, but not be limited to the following functions: work directly with clients, promoters, and decorators to support the events; prepares work schedule for event coordinators; safety training; enforcement and accident prevention; purchasing of equipment and supplies; and coordination of building and grounds maintenance.

Section 14.05. Catering Division

The Executive Director may designate a Catering/Concession Supervisor who shall be head of this division. Responsibilities of the Catering/Concession Supervisor shall include, but not be limited to the following functions: work directly with clients and their caterers to support events; issue work schedules for part-time employees to assist with catering/ concession requirements; purchase supplies for concession stand and maintain inventory of same; operation of the concession stand; and maintain kitchen, concession stand and kitchen and concession stand equipment to ensure that all code regulations are met.

Chapter 15. Department of Human Resources

Section 15.01. Operations

It shall be the responsibility of the Department of Human Resources to ensure that the operations and management of the City's human resources, excluding those of the Police and Fire Departments, are in accordance with this charter, its policies, applicable ordinances, state and federal laws, and/or directives pertaining thereto. The Department of Human Resources shall also be responsible for risk management and the incoming and outgoing of City mail.

Section 15.02. Human Resource Policy

The City of Bossier City shall, to the extent and in a manner not inconsistent with Federal and State law, adopt a comprehensive personnel policy, which shall be set forth by ordinances, resolutions, rules and regulations. Such personnel policy shall provide a modern and comprehensive system of personnel administration for the City.

This Policy is to reinforce and strengthen the City's commitment to equal opportunity in all matters relating to employment and its continuing pledge to comply with all laws and regulatory authority governing employment practices. Moreover, this policy is intended to provide direction and support for what the City expects of its employees in this important area.

A safe, drug and discrimination-free work place with fair treatment are the fundamental rights of all City employees. Our employment practices must be in legal compliance and should be the foundation for a work place that encourages all employees to contribute to their fullest potential.

Section 15.03. Human Resource Policy Guidelines

It shall be the policy of the City of Bossier City to maintain a discrimination-free environment at all work locations and commit to the practice of hiring and advancing the most qualified people without regard to race, color, gender, sexual orientation, national origin, religion, citizenship, age, veteran status, or disability. This practice shall extend to all terms and conditions of employment.

Specific positions shall be grouped into classes and each class shall include those positions sufficiently similar to duties and responsibilities so that similar requirements as to training, knowledge, skill and the same rates of compensation are applicable thereto.

All appointments and promotions to positions in the classified service of the City and all measures for the control and regulation of employment in such positions and separation therefrom, shall be on the sole basis of merit and fitness.

Fair and equitable pay shall be provided with due consideration of both the employees and the taxpayers and with observance of the principle of equal pay for equal work, and suitable differences in pay for different work.

Section 15.04. Human Resources Director

The Mayor shall nominate for confirmation by the City Council a Director of Human Resources. This shall be an unclassified employee position. The Director shall be a college graduate with a Bachelor's Degree or higher; have a minimum of five (5) years experience as a Human Resource Generalist, three (3) of which in an administrative or supervisory position.

The Director shall be head of and responsible for operations and management of the City's Department of Human Resources and Risk Management, excluding those of the Police and Fire Departments. It shall be the responsibility of the Director of Human Resources, within his/her budget, to create, modify, staff, dissolve, and supervise divisions and branches within his/her department, as necessary.

Section 15.05. Risk Management Division

The Human Resources Director may hire a Risk Manager who shall be the head of this division. This shall be an unclassified employee position. The Risk Manager shall be responsible for the City's liability and workmans' compensation insurance programs. He/she shall have responsibility for maintaining the City safety program and ensuring that proper employee training is conducted pertaining to same. He/she shall be responsible for resolving employee complaints pertaining to unsafe conditions in the City workplace and citizen complaints concerning unsafe conditions in the City.

Section 15.06. Benefits Administration Division

The Human Resources Director may hire a Personnel Specialist/Benefits Administrator who shall be the head of this division. The Benefits Administrator shall be responsible for, but not limited to, ensuring that the various benefits programs of the City such as major medical/hospitalization, dental, life, accidental death and dismemberment, and other elective programs are efficiently administered.

Section 15.07. Records Maintenance Division

The Human Resources Director may hire a Personnel Specialist who shall be the head of this division. The Personnel Specialist shall be responsible for the maintenance of current employees' records and disposition of records of former employees.

Section 15.08. Personnel Board

There shall be a Personnel Board. It shall consist of five (5) members. The terms of the board members (other than the initial term) shall be for three (3) years. Board members shall be appointed by the City Council or elected by and from classified employees as outlined below. Initial terms of appointment by the City Council will be staggered to provide for overlapping terms.

- 1) Appointing and electing authority of board members:
 - a) One (1) member, who shall be a resident of Bossier City, shall be appointed by the City Council.
 - b) Two (2) members shall be selected by the Mayor from a list of four (4) nominees, who shall be residents of Bossier City, submitted by the Chancellor, Bossier Parish Community College.

The Chancellor shall provide these names to the Mayor within thirty (30) days after receiving such request. Those nominated by the Mayor must be confirmed and appointed by the City Council.

- i) If no nominees are submitted to the Mayor within thirty (30) days, the Mayor will nominate one (1) individual of his/her choosing; the City Council must appoint this individual. The second individual shall be a classified employee elected by the classified employees as outlined in the following paragraph.
- c) Two (2) members, who have been nominated and elected by and from the City classified employees, excluding fire and police employees, shall be appointed. This election shall be by secret ballot of the City's classified employees.

2) Duties of the Personnel Board

- a) It shall be the duty of the Personnel Board to adopt procedures and upon request, to hear appeals from classified employees. The Board shall receive evidence and hear witnesses to determine facts involving employment and promotions. It shall also insure that such actions are consistent with provisions in this section and any ordinances, resolutions, rules, regulations, or policies adopted pursuant thereto.
- b) Upon hearing and determination of appeals, the Personnel Board may affirm, modify, or reverse the actions of the City with respect to any classified employment or promotions.
- c) Aggrieved classified parties may appeal the ruling of the board within thirty (30) days by petition to the district court.
- d) The Personnel Board may, upon its own motion or upon request by the City Council, or any member thereof, investigate matters relating to employees and advise the City Council as to its findings and recommendations.

Chapter 16. Department of Finance

Section 16.01. Organization.

There shall be a Department of Finance. The Department of Finance shall have a Director of Finance. The Department of Finance may consist of but not be limited to the following divisions: Accounting, Tax, Information Systems, Arena, Customer Service, and Purchasing. These divisions and any other divisions that may be added shall be under the administrative control of the Director of Finance. The department may include such other functions and employees as recommended by the Mayor and/or the Director of Finance if within the department's budget.

Section 16.02. Director of Finance

The Mayor shall nominate, for confirmation by the City Council, a Director of Finance. This shall be an unclassified position. The Director of Finance shall have responsibility for the financial affairs of the City. The Director, when a vacancy occurs, shall be a college graduate with a Bachelor's Degree or higher in Accounting or comparable area of study; be a CPA, and have a minimum of five (5) years experience in Financial Affairs and Accounting, three (3) of which in an administrative or supervisory position. It shall be the responsibility of the Director of Finance, within his/her budget, to create, modify, staff, dissolve, and supervise divisions and branches within his/her department, as necessary. He/she shall:

- a) Collect and have custody of all monies of the City from whatever source.
- b) Prepare the operating and capital budgets as directed by the Mayor.
- c) Maintain a record of indebtedness and have charge of the payment of principal and interest on such indebtedness.
- d) Ascertain that funds are available for payment of all contracts, purchase orders and any other documents that incur financial obligation for the City, and that such documents are in accordance with established procedures.
- e) Disburse all funds from the City treasury.
- f) Develop and administer a uniform central accounting system for all City departments and divisions using nationally accepted Governmental Accounting Standards Board (GASB) and National Institute of Governmental Purchasing (NIGP) standards, where applicable.
- g) Prepare a monthly statement of revenues and expenditures to show the financial condition of the City.
- h) Procure all equipment, materials, supplies and services required by the City, under a central purchasing system, for all departments, divisions, sections, offices and agencies in accordance with applicable state law, City Council policy, and administrative requirements.
- i) Maintain an inventory of all City property, real and personal.

- j) Invest all idle City funds, as permitted by law.
- k) Manage City information services operations.
- l) Provide general administrative services.
- m) Be responsible for, in coordination with the Director of Public Utilities, the Department of Public Utilities' billing and collections, general accounts and annual statements, disposition of utilities earnings, and recommending appropriate utility rates.
- n) Perform such other actions as may be directed by the Mayor.

Section 16.03. Purchasing Agent

The Purchasing Division shall be under the direction of the Director of Finance who may employ a Purchasing Agent. The Purchasing Agent shall be an unclassified employee and shall manage the division pursuant to the provisions of this plan of government and such rules and regulations as the City Council may establish by ordinance, purchase for use of the City all supplies, equipment and contractual services, including insurance and surety bonds. The Purchasing Agent shall have the following additional duties:

- a) To supervise the operation of storerooms and warehouses as may be established in accordance with the rules, regulations, and directions of the City Council.
- b) To transfer, with the approval of the City Council, to or between departments and agencies of the City, or to sell supplies, materials and equipment determined, after consultation with the head of the department concerned, to be surplus, obsolete, or unusable.
- c) To maintain an accurate system of accounting for all property received and all property issued by him/her, in accordance with accepted principles for property and inventory control, and to maintain such inventory of all movable property belonging to the City, as may be required by the City Council.
- d) To perform other duties as may be prescribed by ordinance or assigned to him/her by the Director of Finance or the Mayor.

Section 16.03.1. Competitive bidding

Before making a purchase or public works contract, the Purchasing Agent shall give opportunity for competitive bidding as prescribed by a procurement code not in conflict with applicable laws of the state codified in the Code of Ordinances for the City of Bossier City. All sales made by the Purchasing Agent shall be on the basis of competitive bids after such public notice as may be prescribed by the City Council by ordinance, and all sales shall be to the highest responsible bidder. A record of all bids, showing the name of the bidder and the amount of the bid, and indicating in each case the successful bidder, together with the original of all sealed bids and other documents pertaining to the award of contracts, shall be preserved in accordance with state law and generally accepted accounting practices.

Section 16.03.2. Appropriated funds availability

All purchases made and contracts entered into by the Purchasing Agent shall be pursuant to a requisition from the head of the department whose appropriation is being charged. No purchase order made, or contract entered into by the Purchasing Agent, shall be valid unless there is an unexpended and unencumbered balance in the appropriation and allotment applicable thereto. Nothing herein, however, shall prevent the Purchasing Agent from making purchases for a stores revolving fund which the City Council is hereby authorized to establish, and from making sales from the stores to the several departments subject to the same provisions as relate to other purchases.

Section 16.04. Accounting Division

The Accounting Division shall be under the direction of the Director of Finance who may employ a Comptroller to oversee the division. He/she shall be an unclassified employee and shall administer the financial operations of the City using the most recent principles mandated by Governmental Accounting Standards Board (GASB) or any other state or federal organization/agency which governs governmental accounting principles.

Section 16.05. Tax Division

The Tax Division shall be under the direction of the Director of Finance who may employ a Tax Administrator to oversee the division. He/she shall be an unclassified employee and shall be responsible for collecting sales and use taxes, property taxes, occupational license taxes, liquor licenses and hotel/motel taxes in accordance with all intergovernmental agreements and applicable laws.

Section 16.06. Customer Services Division

The Customer Services Division shall be under the direction of the Director of Finance who may employ a Customer Service Administrator to oversee the division. He/she shall be an unclassified employee and shall be responsible for collection of all water, sewer, solid waste disposal and emergency medical service monthly fees and charges for services in accordance with all applicable laws.

Section 16.07. Information Services Division

The Information Services Division shall be under the direction of the Director of Finance who may employ a Manager of Information Services to oversee the division. He/she shall be an unclassified employee. The Manager shall be responsible for the implementation, operation and maintenance of all computers, hardware and software, and communication and electronic equipment.

Section 16.08. Arena Division

The City's multi-purpose arena is functionally assigned to the Department of Public Affairs. It may be managed by a private management firm recommended by the Mayor and approved by the City Council. The general manager of the contracted management firm shall coordinate with the appropriate functional area of the Mayor's staff to resolve issues and obtain decisions applicable to arena operations, maintenance, and management. The general manager will report on arena status to the Director of Finance and/or in accordance with contractual requirements and when requested by the Mayor, City Council, or Director of Finance.

Chapter 17. Police Department

Section 17.01. Organization.

In the interest of public safety, there shall be a Police Department. The department shall have the divisions listed herein by functional area, and such other divisions that may have a direct relationship to public safety as may be recommended by the Mayor and confirmed by an ordinance adopted by the City Council.

Section 17.02. Police Department.

The head of the Police Department shall be the Police Chief who shall be appointed by the Mayor in accordance with state law.

- (a) The Police Chief shall direct and be responsible for the prevention of crime, law enforcement, maintenance of peace and order of the City, and shall assist the courts and other law enforcement officials (as directed by appropriate authority and as resources permit).
- (b) No person shall exercise police authority in the City except regularly constituted law enforcement officers of the City, parish, federal or state government.
- (c) The department shall include, but is not limited to, the following divisions: Administrative Services; Criminal Investigations; Special Investigations; Uniformed Services; Training and Community Services; and Detention Facility. These divisions, and those that may be added, shall be under the administrative control of the Police Chief who shall appoint an officer to supervise each division.
- (d) The department may include such other functions and employees only when recommended by the Mayor and confirmed by an ordinance adopted by the City Council.

Section 17.03. Administrative Services Division.

The Administrative Services Division shall be under the direction of the Police Chief. The Police Chief may designate the Deputy Police Chief to direct this division. Officers and other personnel within the division shall perform, but are not limited to, accomplishment of the following functions: planning and research; personnel; purchasing; budget and payroll; internal affairs; and public information. Area coordinators, when assigned by the Police Chief, may be within this division.

Section 17.04. Criminal Investigation Division.

The Criminal Investigation Division shall operate under the direction of a qualified individual appointed by the Police Chief. He/she shall be responsible for follow-up and clearing of cases which require additional investigation. Personnel assigned to this division are specialists and investigate specific felony and misdemeanor criminal incidents. This division shall normally include, but is not limited to, accomplishment of the following functions: investigations of crimes against property, against persons, violent crimes, juvenile crime issues, and domestic violence; white collar crimes; and crime scenes/identifications.

Section 17.05. Special Investigation Division.

The Special Investigation Division shall operate under the direction of a qualified individual appointed by the Police Chief. He/she shall be responsible for investigating and arresting persons criminally involved in narcotics and vice activity. The division is responsible for, but is not limited to, accomplishment of the following functions: narcotics; street crime interdiction; and vice.

Section 17.06. Uniformed Services Division.

The Uniformed Services Division shall operate under the direction of a qualified individual appointed by the Police Chief. He/she shall be responsible for maintaining the twenty-four (24) hour police presence within the City. This division shall normally be the first responder and provide police enforcement and services. The division is responsible for, but not limited to, accomplishment of the following functions: patrol; motorcycle/traffic; communications; hit and run incidents; and reserve personnel.

Section 17.07. Training and Community Services Division.

The Training and Community Service Division shall operate under the direction of a qualified individual appointed by the Police Chief. He/she shall be responsible for, but is not limited to, performing the following functions: continuous in-service training of police department personnel, and providing community services and programs that assist the department in providing law enforcement and public safety within and for the City.

Section 17.08. Detention Division.

The Detention Division shall be operated under the direction of a qualified individual appointed by the Police Chief. He/she shall maintain and operate a twenty-four (24) hours per day detention facility. This facility will provide temporary detention for individuals who are arrested and charged with felony offenses and misdemeanors. This division shall also perform such other functions as assigned by the division supervisor or Police Chief.

Chapter 18. Fire Department

Section 18.01. Organization.

In the interest of public safety there shall be a Fire Department. The department shall have the divisions listed herein by functional area, and such other divisions that may have a direct relationship to public safety as may be recommended by the Mayor and confirmed by an ordinance adopted by the City Council.

Section 18.02. Fire Department.

The head of the Fire Department shall be the Fire Chief who shall be appointed by the Mayor in accordance with state law.

- (a) The department shall include, but is not limited to, the following divisions:
Administrative; Communications; Emergency Medical Service; Fire Prevention; Fire Training; Hazardous Materials and Special Operations; Maintenance; Operations; Internal Affairs Division; and Information Technology Division.
- (b) These divisions, and any other that may be added, shall be under the administrative control of the Fire Chief.
- (a) The Fire Department may include such other functions and employees as recommended by the Mayor and confirmed by ordinance adopted by the City Council.

Section 18.03. Administrative Division.

The Administrative Division shall operate under the direction of a qualified individual appointed by the Fire Chief. He/she shall be responsible for, but is not limited to, accomplishment of the following functions: planning and research; personnel; purchasing; budget; payroll; and public information.

Section 18.04. Communications Division.

The Communications Division shall operate under the direction of a qualified individual appointed by the Fire Chief. He/she shall develop and maintain standard operating procedures for department communications including, but not limited to, the following: alarm room; computer aided dispatch system; National Fire Incident Reporting System; telephones; and other computer systems. The Communications Division Supervisor shall be responsible for insuring alarm room personnel are properly trained.

Section 18.05. Emergency Medical Service Division.

The Emergency Medical Services Division (EMS) shall operate under the direction of a qualified individual appointed by the Fire Chief. He/she shall: develop medical protocols; establish division policies, goals, and objectives; evaluate medical services; and maintain division records. This division shall also be responsible for all EMS related functions performed by Fire Department personnel, and for other duties as directed by the Fire Chief.

Section 18.06. Fire Prevention Division.

The Fire Prevention Division shall operate under the direction of a qualified individual appointed by the Fire Chief. He/she shall be responsible for, but is not limited to, accomplishment of the following functions: fire investigations; compliance inspections; public education; hazardous devices; and other related functions as directed by the Fire Chief.

Section 18.07. Fire Training Division.

The Fire Training Division shall be operated under the direction of a qualified individual appointed by the Fire Chief. He/she shall be responsible for, but is not limited to, accomplishment of the following functions: planning, organizing, and conducting fire training operations; assembling required material and training aids; evaluation of training program effectiveness; maintaining training records; and other related functions directed by the Fire Chief.

Section 18.08. Hazardous Materials and Special Operations Division.

The Hazardous Materials and Special Operations Division shall operate under the direction of a qualified individual appointed by the Fire Chief. He/she shall be responsible for, but is not limited to, accomplishment of the following functions: division administration; response to all Fire Department calls for assistance in identifying hazardous materials or involving technical rescues; planning for and directing department emergency operations involving hazardous materials or technical rescues; providing assistance in development of training related to hazardous materials or technical rescues; and other related functions directed by the Fire Chief.

Section 18.09. Maintenance Division.

The Maintenance Division shall operate under the direction of a qualified individual appointed by the Fire Chief. He/she shall be a master mechanic and shall be responsible for, but is not limited to, accomplishment of the following functions: preventive and repair maintenance of all vehicles and equipment assigned to the department; performing service tests on department pumper vehicles and ladder trucks; and other related functions directed by the Fire Chief.

Section 18.10. Operations Division.

The Operations Division shall operate under the direction of a qualified individual appointed by the Fire Chief. The division shall be responsible for being first responder to fire and department related incidents. These incidents include, but are not limited to, structure fires; grass fires; vehicle accidents; water vacuuming services; natural disasters; technical rescues; hazardous materials incidents; water rescue; and emergency medical service response.

Section 18.11. Internal Affairs Division

The Internal Affairs Division shall be operated under the direction of a qualified individual appointed by the Fire Chief. He/she shall be responsible for, but is not limited to: accomplishing the following functions: internal investigation; personnel affairs; commendations/awards; liaison for Employee Assistance Program; grants and other related duties as directed by the Fire Chief.

Section 18.12. Information Technology Division

The Information Technology Division shall be operated under the direction of a qualified individual appointed by the Fire Chief. He/she shall be responsible for, but is not limited to, accomplishing the following functions: all computer applications, including but not limited to AS400 access; Hardware/Software issues; Mobile Data Browser; Road Safety-Driver monitoring equipment; Health Ware Solutions Program; designing/maintaining our department web site; and other related duties as directed by the Fire Chief, in coordination with and approval of the Information Services Division.

Chapter 19. Department of Public Works

Section 19.01. Organization

The department shall consist of a Director of Public Works and such superintendents and other employees as the Mayor and/or the Director may recommend. The department may be comprised of, but not limited to, the following divisions: Streets and Drainage; Solid Waste; Animal Control; and Herbicide and Mosquito Control.

Section 19.02. Director of Public Works

The Mayor shall nominate for confirmation by the Council a Director of Public Works. This shall be an unclassified position. The Director of Public Works shall be a college graduate with a Bachelor's Degree in an Engineering field or associated field of study; have a minimum of five (5) year's related work experience, three (3) of which were administrative or supervisory. The Director shall be responsible for streets and drainage within the City, functions of the assigned divisions, and such other responsibilities as may be assigned by ordinance. It shall be the responsibility of the Director of Public Works, within his/her budget, to create, modify, staff, dissolve, and supervise divisions and branches within his/her department, as necessary.

Section 19.03. Streets and Drainage Division

The Streets and Drainage Division is critical for the accomplishment of highly visible and time sensitive services to the citizens and shall be under the direction of the Director of Public Works. The Director may hire at his/her discretion, an employee of the City to supervise this division. The division shall be responsible for, but not limited to, maintenance and repair of City streets, including alleys and sidewalks, and drainage systems. The division shall also be responsible for street sweeping and mowing of designated public areas.

Section 19.04. Solid Waste Division

The Director may hire, if within his/her budget, a supervisor to oversee the Solid Waste Division. This division shall be responsible for, but not limited to, oversight of contracted services and City employees performing solid waste collection, recycling collection and processing, litter collection, and other duties as assigned by the Director.

Section 19.05. Animal Control Division

The Director of Public Works may hire, if within his/her budget, a supervisor to oversee the Animal Control Division. The division shall be responsible for, but not limited to, enforcement of animal, fowl, and reptile ordinances and directives, and shall operate and maintain the animal control facility.

Section 19.06. Herbicide and Mosquito Control Division

The Director of Public Works may, if within his/her budget, hire a Supervisor of Herbicide and Mosquito Control. The division supervisor shall be responsible for chemical vegetation control along City streets and drainage systems as needed and designated by the Director of Public Works. The division shall also be responsible for, but not limited to, control of mosquito and other insects as designated by the Director of Public Works. The supervisor shall assist with oversight of contracted

services for chemical vegetation control and drainage system inspections as directed by the Director.

Chapter 20. Department of Public Utilities

Section 20.01. Organization

The Department of Public Utilities shall consist of a Director and such superintendents and other employees as the Mayor and/or the Director may recommend. The department may be comprised of, but not limited to, the following divisions: Water Treatment; Wastewater Treatment; Lift Stations; Environmental Affairs; and Water Main and Sewer Main Maintenance. These divisions, and any others that may be added shall be under the administrative control of the Director of Public Utilities.

Section 20.02. Director of Public Utilities

The Mayor shall nominate for confirmation by the City Council a Director of Public Utilities. This shall be an unclassified position. The Director of Public Utilities shall be a college graduate with a Bachelor's degree in Engineering or associated field; have a minimum of five (5) year's related work experience, three (3) of which were administrative or supervisory. The Director shall be responsible for the maintenance and operation of the City's water and sewer systems, including electrical maintenance of the Public Utilities facilities, and for the performance of such other duties as may be assigned by ordinance. It shall also be the responsibility of the Director of Public Utilities, within his/her budget, to create, modify, staff, dissolve, and supervise divisions and branches within his/her department, as necessary.

Section 20.03. Lift Station Division

The Director of Public Utilities may hire, if within his/her budget, a Superintendent to supervise the Lift Station Division. The Superintendent shall be certified in accordance with applicable state law. The division shall manage the daily operation of lift stations, and is responsible for, but not limited to, pump station maintenance, property upkeep, and electrical installations and repairs.

Section 20.04. Wastewater Treatment Division

The Director of Public Utilities may hire, if within his/her budget, a Superintendent to supervise the Wastewater Treatment Division. The Superintendent shall be certified in accordance with applicable state law and shall be responsible for the daily operation of all City wastewater treatment plants. This shall include, but is not limited to, treating non-potable water (wastewater) and maintaining federal, state, and local permit compliance standards. The Superintendent shall supervise plant operators, maintenance and utility workers, and laboratory employees.

Section 20.05. Environmental Affairs Division

The Director of Public Utilities may hire, if within his/her budget, a Superintendent to supervise the Environmental Affairs Division. The Superintendent shall be certified in accordance with applicable state law. The Superintendent shall be responsible for, but not limited to, compliance with rules, regulations, and other applicable directives from the United States Environmental Protection Agency and Louisiana Department of Environmental Quality. These directives include, but are not limited to, monitoring by sampling, testing, and site visits to permitted and non-permitted industries which discharge wastewater into the City's sanitary sewer system, and storm water to the storm water collection system.

Section 20.06. Water and Sewer Maintenance Division

The Director of Public Utilities may hire, if within his/her budget, a Superintendent, certified in accordance with applicable state law, to supervise the Water and Sewer Maintenance Division. The division is responsible for, but not limited to, maintaining all City water and sewer mains, and repairs or replacement of all water meters and fire hydrants.

Section 20.07. Water Treatment Division

The Director of Public Utilities may hire, if within his/her budget, a Superintendent to supervise the Water Treatment Division. The Superintendent shall be certified in accordance with applicable state law. The division shall be responsible for, but not limited to, the operation and maintenance of all water treatment plants, raw water and high service pumping stations, elevated water storage towers, and water reservoirs. The division shall also be responsible for ensuring compliance with applicable federal, state, and local directives pertaining to potable water and providing potable water to the City and communities served by the City.

Section 20.08. Water and Sewerage Systems to be Managed as Self-supporting Enterprises

It is the intent of this plan of government that the water and sewerage systems shall be managed together as nearly as possible as a single self-supporting business enterprise, hereinafter in this section referred to as the "utility." For this purpose, the following procedures are prescribed:

(A) Billing and collecting.

All customer accounts and other records necessary in the collection of charges for the sale of water, sewerage, and other services shall be a responsibility of the Department of Finance.

(B) General accounts and annual statement.

The Director of Finance shall keep the general accounts of the utility in accordance with accepted principles of public utility accounting. Expenditures shall be authorized in the same manner as expenditures by other departments. Immediately after the close of each fiscal year the director shall prepare and submit to the City Council the following statements:

- (1) A profit and loss statement in accordance with accepted principles of public utility accounting.
- (2) A balance sheet showing assets and liabilities as of the beginning and close of such fiscal year.
- (3) A statement of receipts and expenditures for such fiscal year showing:
 - (a) Receipts from sales to customers.
 - (b) Receipts from miscellaneous sources.

- (c) Total receipts, the sum of items (a) and (b).
 - (d) Expenses of operation and maintenance.
 - (e) Interest payable during the year on utility indebtedness as defined in Subsection (2) above.
 - (f) Principal payments on such indebtedness.
 - (g) Depreciation estimated in accordance with standard practices of public utility valuation, less the amount of principal payments on such indebtedness.
 - (h) Total expenses, items (d), (e), (f) and (g).
 - (i) Excess receipts over expense or excess of expenses over receipts, the difference between item (c) and (h).
- (C) Disposition of utility earning.

A sum equal to items (e) and (f) of subsection (3) above, i.e., debt service requirements on Utility Revenue bonded indebtedness, shall be paid annually from the water and sewerage fund to the bond and interest sinking fund. A sum never to be less than 5% of annual water and sewer revenues shall be paid into water and sewer contingency funds from which the City Council may make appropriations on recommendation of the Director of Finance only for renewals, replacements, extensions and any other capital improvement requirements of the Utility. Retained earnings may, upon recommendation of the Director of Finance, be appropriated for renewals, replacements, extensions and any other capital improvement requirements of the Utility. In preparing the Utility budget, the Director of Finance shall estimate the amount to be appropriated from the water and sewerage fund and from the bond and interest sinking fund, provided that no increase in water and sewer rates shall be made except as provided in subsection (E) below.

(D) Utility capital improvements.

Renewals, replacements, extensions and any other capital improvement requirements of the Utility shall be paid from Utility system funds, the issuance of Utility Revenue Bonds, loans from lawful sources, state and federal grants and subject to City Council approval, in an annual amount not to exceed \$3,000,000 from other City capital improvement funds.

(E) Fixing rates.

The City Council shall, from time to time, upon the recommendation of the Director of Finance and Director of Public Utilities, fix the rates to be charged for water and sewer treatment which need not be uniform for all consumers but shall be the same for each class of consumers, based upon the amount of water consumed during the billing period, and may be higher in the case of the consumers outside the City limits. If the annual receipts of the utility, as shown in item (c) of subsection (B)(3) above, are less than its annual expense as shown in item (h) of subsection (B)(3) above, the Director of Finance may recommend to the City Council and the City Council may adopt a schedule of rates which

will produce annual receipts equal to annual expense. If for any two (2) fiscal years the average annual receipts of the Utility, as shown in item (c) of subsection (B)(3) above, are be less than its average annual expense, as shown in item (h) of subsection (B)(3) above, it shall be the duty of the Director of Finance to recommend and of the City Council to adopt a schedule of rates which in his/her judgment will produce receipts equal to expense.

Chapter 21 Amendments to the City Charter

Section 21.01. How proposed.

Amendments to the charter may be proposed as follows:

- (a) By the City Council in the form of an ordinance, except that it shall not be subject to veto, embodying the proposed amendment and providing for the submission to a Charter Review Commission as established in Section 13.02, and then subject to a special election as herein provided; or
- (b) By petition of electors of the City as outlined in Section 5.01, signed, examined, amended and certified.

Section 21.02. Appointment of a Charter Review Commission.

Amendments or proposed changes to the charter must be through a citizens Charter Review Commission. This commission shall consist of nine (9) appointed persons who must be registered voters and residents of the City of Bossier City. Members of the commission shall be selected for appointment as prescribed below. The Chief Administrative Officer and City Attorney shall be ex-officio, non-voting members of the commission.

- (1) Each City Council member shall nominate one person for appointment to the commission.
- (2) The Mayor shall nominate two people for the commission.
- (3) All commissioners must be approved by ordinance, and by a simple majority vote of City Council members. If a City Council member or Mayor's nominee is not approved, the City Council member, or Mayor, shall seek another nominee for City Council consideration.
- (4) The Charter Review Commission will be presented a draft of suggested charter changes jointly drafted by the Mayor and City Council members. The draft of suggested changes shall represent a coordinated recommendation of the Mayor and City Council, but will indicate, if applicable, areas of disagreement. The commission shall develop proposed amendments as soon as feasible, but not later than eighteen (18) months after being formed.

Section 21.03. Form of amendments.

Each amendment, however proposed, may include more than one section of the Charter, provided that it relates to a single subject that must be clearly expressed in the title. Each section amended shall be set forth in full as it will stand after the proposed amendment. There shall be appended to the proposed amendment a statement of its nature not to exceed one hundred and fifty (150) words.

Section 21.04. Submission of proposed amendments.

The City Council shall submit any amendment or amendments as recommended by the Charter Review Commission to the electors of the City. If any amendment is proposed by petition of electors, the City Council shall submit the same to the electors of the City at a special election to be called no less than ninety (90) nor more than one hundred twenty (120) days after the receipt of the registrar's certificate of sufficiency, if authorized by state law, or if not on the next date so authorized. Any number of proposed amendments to this Charter may be submitted at any such general municipal election.

Section 21.05. Publication of proposed amendments.

Unless and until otherwise provided by ordinance, it shall be the duty of the City Clerk to cause to be published the full text of each proposed amendment and the statement of the nature thereof appended thereto, twice in the official journal, the first publication to be not less than thirty (30) days and the second publication not less than five (5) days before the date of the election at which such amendment is to be submitted.

Section 21.06. Form of ballot.

The ballot used at such elections shall contain these words: "For the charter amendment" (stating the title thereof and the nature of the proposed amendment as appended to the same); "Against the charter amendment" (stating the title thereof and the nature of the proposed amendment as appended to the same).

Section 21.07. Result of the election.

If a majority of the votes cast on any proposed amendment shall be in favor thereof it shall be adopted and the charter shall be amended accordingly as of the date of such election unless the proposed amendment provides for a later date; provided, however, that if two (2) or more proposed amendments are submitted at the same election, the terms of which conflict with one another, and each receives a majority of votes cast thereon, that amendment shall be deemed adopted which receives the largest number of votes.

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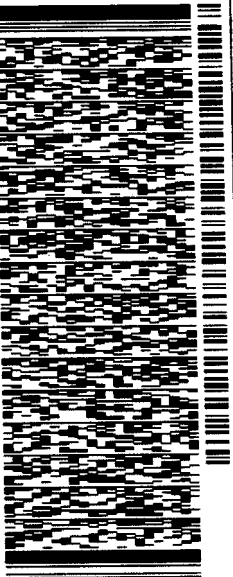
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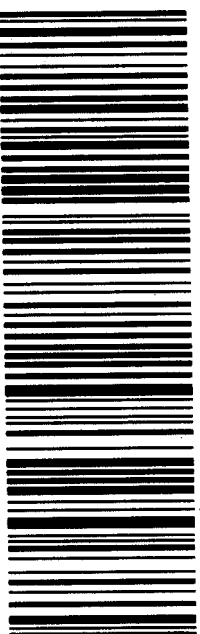
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519